

REMARKS

Claims 1-39 are pending in the application. In the above Office Action the Examiner has rejected claims 1-5, 9-11, 15-19, 23-27 and 33 in the manner discussed below. The Examiner has also objected to claims 6-8, 12-14 and 20-22, and allowed claims 28-32 and 34-39. By this Amendment, Applicant has amended claims 1, 2, 9, 15, 23 and 33 in order to more particularly define the present invention.

On page 2 of the Office Action the Examiner noted that parent application U.S. Patent Application No. 09/439,946 was filed on November 12, 1999. Applicant has amended the specification to reflect this date in the priority claim made in the first paragraph of page 1.

The Examiner has objected to claims 1 and 2 in view of various informalities. In response, Applicant has amended claims 1 and 2 in the manner suggested by the Examiner.

Claim Rejections Under 35 U.S.C. §112

In the first rejection made within the above Office Action, the Examiner rejected claims 15, 23-27 and 33 under 35 U.S.C. §112, second paragraph, as being indefinite. With regard to claims 15 and 33, the Examiner has asserted that various protocols are recited without reference to a specific version or publication date. In response, Applicant has amended claims 15 and 33 in order to clarify that the first/second protocol is a version of one of several enumerated protocols. Applicant observes that various embodiments of the invention are capable of being implemented using different versions of these protocols. Given that only a finite number of versions of each of these protocols exist, Applicant respectfully submits that the claims 15 and 33 each define bounded sets of protocol versions and that the claim has been rendered definite by specifying that the claimed first/second protocol are each comprised of one such version.

The rejection of claims 23-27 is based upon the recitation, within claim 23, of "said first network devices", which lacks antecedent basis. In response, Applicant has amended claim 23 in the manner suggested by the Examiner so as to remedy this lack of antecedent basis.

Accordingly, Applicant respectfully requests reconsideration of the outstanding rejections under 35 U.S.C. §112.

Claim Rejections Under 35 U.S.C. §103(a)

The Examiner has rejected claims 1-5, 9-11 and 15-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,208,635 to Altvater et al. in view of U.S. Patent No. 6,643,522 to Young.

Altvater describes a network which includes at least two basic networks, each with a central station and a limited number of user stations. As described by Altvater, the user stations within each basic network communicate with the central station of each such network:

Basic network 10 is hierarchically structured: user stations 12, 13, 14, and 15 can communicate with one another only via central station 11. Contact with further external stations also takes place via central station 11.
[6:35-38]

That is, each of Altvater's basic networks includes a master station dedicated to such network, and all user stations of a given basic network communicate exclusively with such dedicated master station. Stated differently, each of Altvater's master and user stations are members of one and only one basic network., and do not communicate wirelessly (i.e., in accordance with a frequency hopping protocol) with elements of any other basic network.

In contrast, the collection of networked apparatuses of the present invention are organized in a fundamentally different fashion. The distinctions between the present invention and Altvater may be appreciated with reference to, for example, FIG. 14 of the present specification. As shown, the devices 104a and 104b of first and second subsets depicted in FIG. 14 are in wireless communication with a common wireless device (i.e., wireless device 100). Specifically, transceiver 102a of wireless device 100 is responsible for effecting communication with the wireless devices 104a of both the first and second subsets. As was described above, Altvater's system is structured entirely differently in that each basic network is organized around a dedicated master station; that is, the members of different basic networks with Altvater's system are clearly not in wireless communication with a common wireless device.

This aspect of the present invention is expressly defined within amended claims 1 and 9 which now recite that the claimed first and second subsets are in communication with a common wireless device. Although not currently amended, this aspect of the present invention is also reflected by claim 17. Specifically, in pertinent part claim 17 is directed to an apparatus that

includes a first wireless transceiver in communication with first and second subsets of first network devices. As was discussed above, Altvater teaches away from such use of a single apparatus to communicate with first and second subsets of devices by instead incorporating a separate master station within each basic network. Accordingly, Applicant respectfully requests the Examiner reconsider the relevance of Altvater to pending claims 1, 9 and 17.

In support of the above rejection of claims 1-5, 9-11 and 15-19, the Examiner acknowledged that Altvater does not disclose a second plurality of apparatuses operating with a second protocol which are synchronized with respect to the first plurality of apparatuses. However, the Examiner asserts that Young teaches a collection of wirelessly networked apparatuses and further teaches the apparatuses have the capability to communicate in accordance with a second protocol (or alternately, the first protocol).

It is observed that the Young reference is directed to a *single* device (i.e., a dual mode RF radio) including a first transceiver operative in accordance with a first protocol and a second transceiver operative in accordance with a second protocol. The first and second transceivers are connected to a shared antenna. The improvement offered by Young appears to relate primarily to a circulator connecting the transmitter and receiver portions of the first and second transceivers to the shared antenna. This permits the receiver portions of each transceiver to be isolated during operation of the transmit portions of the transceivers, which reduces receiver "desensitization". However, the claim element identified by the Examiner as being described by the Young reference recites that a second plurality of devices are operated in a manner complementary to the claimed first/second subsets of devices. It is thus difficult to appreciate the reasoning underlying the Examiner's contention that Young's description of a single device containing isolated transceivers suggests such complementary operation of a second plurality of devices.

More specifically, the Examiner asserts that Young (at col. 7, line 37 – col. 10, line 41) describes a system in which "the second plurality of apparatuses operate in a manner complementary to the synchronized operation of the first plurality of apparatuses". Applicant respectfully submits that the cited portion of Young primarily discusses various interference ratios (e.g., C/I ratios) and the probability of collision associated with adjacent operation of

systems governed by different protocols (e.g., Bluetooth and HomeRF). The point of this discussion, however, is to point out that with "desensitization solved in accordance with the invention the performance of a dual radio system constructed according to the invention is solely dependent on the probability of collision due to co-channel and adjacent channels" [9:63-66]. That is, Young provides no teaching with respect to effecting complementary operation of first and second pluralities of apparatuses operative in accordance with first and second protocols by, for example, aligning the second pluralities of apparatus to a reference signal used to synchronize the first/second subsets of the first plurality of apparatuses (see, e.g., pending claim 2). Young does not seek to achieve such complementary operation through timing alignment, but instead describes an isolation mechanism for a transceiver which addresses problems of receiver desensitization.

Accordingly, Applicant respectfully requests reconsideration of the outstanding rejection of claims 1-5, 9-11 and 15-19.


Applicant respectfully requests consideration of the remarks herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

Dated: May 19, 2004

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